

JAP:PWB

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

15-96 M

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UNITED STATES OF AMERICA

FILED UNDER SEAL

- against -

**COMPLAINT AND AFFIDAVIT
IN SUPPORT OF ARREST
WARRANT**

SADDAM AHMED MOHAMMED AL
LAHABI,

(T.18, U.S.C. 1546)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

Bert Seay, being duly sworn, deposes and states that he is a Special Agent with the United States Department of State, Diplomatic Security Service, duly appointed according to law and acting as such.

On or about March 6, 2014, within the Eastern District of New York, the defendant SADDAM AHMED MOHAMMED AL LAHABI did knowingly and willfully use and attempt to use a United States visa that was procured by means of a false claim or statement and otherwise procured by fraud and unlawfully obtained.

(Title 18, United States Code, Section 1546)

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Special Agent with the United States Department of State, Diplomatic Security Service (“DSS”) and have been involved in the investigation of numerous cases involving United States visas procured by fraud. I am familiar with the facts and circumstances set forth below from my participation in the investigation, my review of the investigative file, and from reports of other law enforcement officers involved in the investigation.

2. In August 2014, DSS received information from the Department of Homeland Security, Office of the Inspector General (“DHS-OIG”) that DHS-OIG had received an anonymous tip that certain Yemeni national employees working in the non-immigrant visa unit of the U.S. Embassy in Sanaa, Yemen were helping other Yemeni nationals in procuring non-immigrant visas to the United States in exchange for money. The visa applications obtained in this manner contained numerous false statements – principally with respect the purpose of the visa applicants’ travel to the United States and the visa applicants’ employment.

3. On or about March 6, 2014, the defendant SADDAM AHMED MOHAMMED AL LAHABI arrived at John F. Kennedy International Airport (“JFK”) in Queens, New York, on Turkish Airlines Flight number 1, which had departed from, Istanbul, Turkey. Upon arrival at JFK, the defendant presented a valid Yemeni passport (No.05344401). The passport contained a B1/B2 United States entry visa, Visa Foil No. E4958931, issued by the United States Department of State, Bureau of Consular Affairs on March 2, 2014. The defendant was applying for entry as a visitor for business.

4. DSS agents were able to review the visa application for the defendant SADDAM AHMED MOHAMMED AL LAHABI which was submitted on January 13, 2014

and presented to a U.S. Consular Officer at the U.S. Embassy in Sanaa, Yemen on March 2, 2014. In his visa application, the defendant stated, among other things, that he was a “Farmer and Coffee Producer/Sales Manager” of “The Al Lahabi Coffee Farm” The defendant also stated in his visa application that the purpose and intent of his trip to the United States was to attend the “Specialty Coffee Event” in Seattle, Washington for 2 months.

5. In January of 2014, DSS agents received information from the Yemeni Ministry of Commerce and Information confirming that the “The Al Lahabi Coffee Farm” is not a registered or legitimate company in Yemen.

6. In January, 2015, DSS agents spoke to the senior registration manager of the “Specialty Coffee Event.” This individual stated that the defendant SADDAM AHMED MOHAMMED AL LAHABI had registered for the conference, but had never paid to attend the conference. Furthermore, the defendant did not actually attend the conference. In addition, a review of law enforcement databases uncovered no evidence that the defendant ever travelled to Seattle, Washington after he arrived at JFK and that the defendant listed a Brooklyn, N.Y. address as “address while in United States” on his 1-94 customs form and immigration form which was not disclosed in his visa application.

7. A review of State Department databases reveals that the defendant SADDAM AHMED MOHAMMED AL LAHABI has been a “visa overstay” since September 5, 2014.

WHEREFORE, your deponent respectfully request that the defendant
SADDAM AHMED MOHAMMED AL LAHABI be dealt with according to law.

S/ Bert Seay

Bert Seay
Special Agent
United States Department of State
Diplomatic Security Service

Sworn to me before this
3rd day of February, 2015

S/ Vera Scanlon

THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK